

ZONING AND ADJUSTMENT BOARD

November 1, 2004

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday, November 1, 2004, at 6:30 P.M. with the following Board members present: Chairman Larry Story, Dossie Singleton, Frank Topping, Rodney Caruthers, Dale Nichols, Todd Brown, and Richard Bradley. Board members Lamar Parker, Rusty Mask, Mark Caruthers, Dave Pierazek, and Evan Merritt were absent. Terry Neal, Zoning and Adjustment Board Attorney, and Aimee Webb, Board Secretary, were present. Roberta Rogers, Director of Planning and Development, was also present.

The Board members led everyone in the pledge and prayer.

Mr. Story presented the proof of publication.

Mr. Brown made a motion to approve the minutes for the October 18, 2004 meeting. Mr. Nichols seconded the motion and the motion carried.

R2004-0080

Jason & Maranda Foster

Deborah Thomas, representative for the applicants, was present and requested a rezoning from RR5 to RR1 on one acre MOL for the purpose of lineal transfer. There were three notices sent. Of the three notices sent, there were none received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

R2004-0081

C. Aubrey & Mary Caruthers

Lonnie Edwards, representative for the applicants, was present and requested a rezoning from C2 to CL on .42 acres MOL to give the property a current zoning classification. There were seven notices sent. Of the seven notices sent, two were received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

S2004-0021

Gary Russin & Barbara Christensen

Gary Russin and Barbara Christensen were present and requested a Special Use Permit for a 6 COP Quota license. There were ten notices sent. Of the ten notices sent, one was received in favor and four in objection. There were several objections from the audience.

Ms. Christensen stated the purpose of the request was to allow for liquor to be consumed on premises and bring the bar to the level of service it had in the past and to allow smoking in the bar. Ms. Christensen stated if the license was approved the package sales would be eliminated to appease everyone's concerns.

Opposing audience members Barbara Nesselrotte, Albert Boutwell, Weida Witt, Mabry Williams, and George Boyston raised concerns regarding fighting at the bar, increase in traffic, quiet neighborhood disrupted, children's safety, and trash and debris.

There were several audience members requesting to speak on behalf of the request: Tara Murray, Kathy Griffin, Bill Rice, Ron Schutt, Holace McGregor, Richard Walton, Dale Richards, and Noel Bevins. Mr. Richards stated Mr. Russin promotes the neighborhood and doesn't condone violence or fights. Ms. Griffin stated she had stayed at the campground on many occasions and had never seen or had any trouble with traffic or rowdiness. Mr. Bevins stated the problem was not with the bar but with the air boaters along the river.

Mr. Topping thought the approval of the request was not changing the characteristics of the neighborhood and people knew what was there when they moved in the area. Mr. Topping made a motion to approve the request based on the following: the voluntary waiver of package sales, disagreement with staff as the use does not constitute an incompatible use, the approval is granted for a time not to exceed twelve months, and the request is specific to the applicants. Mr. Singleton seconded the motion. The motion failed to carry with the vote as follows: Mr. Topping – aye, Mr. Singleton – aye, Mr. Story – aye, Mr. Brown – nay, Mr. Caruthers – nay, Mr. Bradley – nay, and Mr. Nichols – nay.

Mr. Brown made a motion to deny the request based on the information provided in the staff report and to deny it with prejudice. Mr. Nichols seconded the motion and the motion carried with the vote as follows: Mr. Brown – aye, Mr. Nichols – aye, Mr. Bradley – aye, Mr. Caruthers – aye, Mr. Story – nay, Mr. Singleton – nay, and Mr. Topping – nay.

Mr. Nichols made a motion to adjourn. Mr. Brown seconded the motion and the motion carried.

The meeting adjourned at 7:45 p.m.

Larry Story, Chairman
Zoning and Adjustment Board